United Nations S/2018/277

Security Council

Distr.: General
29 March 2018

Original: English

Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2351 (2017), by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2018 and requested me to provide a report to it on the situation in Western Sahara well before the end of the mandate period. It covers developments since the previous report (S/2017/307) and describes the situation on the ground, the status and progress of the political negotiations on Western Sahara, the implementation of resolution 2351 (2017) and the existing challenges to the Mission's operations and steps taken to address them.

2. On 16 August 2017, I announced my decision to appoint Horst Koehler (Germany) as my new Personal Envoy for Western Sahara, to replace Christopher Ross (United States of America), whose mandate ended on 30 April 2017. Mr. Koehler took up his functions on 8 September. On 1 December, I also announced the appointment of Colin Stewart (Canada) as my new Special Representative for Western Sahara and Head of MINURSO, to succeed Kim Bolduc (Canada), who completed her assignment on 22 November.

II. Recent developments

3. The situation in Western Sahara, as far as MINURSO was able to observe, remained generally calm during the reporting period. However, tensions between the parties, including on the unresolved issues concerning Guerguerat, as well as security concerns, continued to characterize the operational environment and mandate implementation of MINURSO.

4. On 28 April 2017, Frente Polisario withdrew its armed elements from the buffer strip at Guerguerat, in the south of the Territory. MINURSO continued to maintain a day-time presence in the area to monitor developments, augmented as necessary by helicopter patrols. The Guerguerat area remained calm and free of the presence of elements of either party for the reporting period until late December, when a small group of Frente Polisario military briefly entered the buffer strip to deliver a message to MINURSO observers to the effect that Frente Polisario would be blocking a car rally scheduled to pass through the Territory to Mauritania. As of 4 January 2018, a small group of apparently unarmed Frente Polisario elements established what the Frente Polisario leadership described as a daylight-hour "monitoring post" inside the

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buffer strip, approximately 500 metres south-east of the MINURSO temporary observation post. At the time of reporting, the elements remain in the location during daylight hours. Frente Polisario assured MINURSO that the presence consists of unarmed civilian "police". On 24 January 2018, MINURSO was invited to observe that there were no weapons in their vehicle.

5. The Security Council, through operative paragraph 3 of its resolution 2351 (2017), recognized that the recent crisis in the buffer strip in Guerguerat raised fundamental questions related to the ceasefire and related agreements and encouraged me to explore ways in which such questions could be resolved. In this regard, the Secretariat sent notes verbales to Morocco and Frente Polisario on 2 June proposing to address these questions, including through the deployment of an expert mission to conduct in-depth consultations with the parties. The Secretariat also solicited information on the questions referred to in paragraph 3 of resolution 2351 (2017). The proposal was accepted by Frente Polisario in June. In August, Morocco responded that military agreement No. 1 remained viable and a guarantee for the preservation of the ceasefire. Therefore, it considered the proposed mission "untimely" and "inappropriate".

6. In a letter dated 9 December 2017, the Secretary-General of Frente Polisario, Brahim Ghali, protested inter alia that the crisis in Guerguerat had not been resolved, that no United Nations expert mission had been deployed and that no concrete action had been taken by the United Nations to implement the provisions of Security Council resolution 2351 (2017). He warned that Frente Polisario would not "accept the continuation of this state of affairs".

7. On 4 January 2018, the Permanent Representative of Morocco to the United Nations addressed a letter to my Under-Secretary-General for Peacekeeping Operations, expressing concern over the developing situation in Guerguerat, stating that the Frente Polisario presence inside the buffer strip is of a military nature, thus constituting a violation of military agreement No. 1. The message was reiterated by the Moroccan authorities during several exchanges with my Personal Envoy and with my Under-Secretaries-General for Political Affairs and Peacekeeping Operations.

8. On 6 January, I expressed deep concern about recent increased tensions in Guerguerat, calling on the parties to exercise maximum restraint and to avoid escalating tensions. I also called for regular civilian and commercial traffic not to be obstructed and for no action to be taken that might constitute a change to the status quo of the buffer strip. In a letter addressed to the Secretary-General of Frente Polisario and dated 5 January, I requested that the parties refrain from actions that could undermine the efforts of my Personal Envoy to relaunch the political process, while also reiterating my commitment to the peaceful resolution of the conflict.

9. In a letter dated 7 January, the Secretary-General of Frente Polisario urged that the underlying causes of tensions in Guerguerat "be addressed effectively in the context of a comprehensive approach in which the full implementation of the mandate of MINURSO must take centre stage." He also recalled that the decision by Frente Polisario to withdraw its presence from Guerguerat in April 2017 was made to facilitate the efforts of the United Nations and would be reviewed in the light of the "commitments of all stakeholders". With regard to the passage of civilian traffic through the area, he lamented that this implied the expansion of Morocco "up to the border of a third country and the implicit recognition that the final status of the Territory has already been determined". In conclusion, the Secretary-General of Frente Polisario noted that Frente Polisario remained committed to engaging in substantive negotiations without preconditions and to cooperating fully with me and my Personal Envoy.

10. On 1 February, the Permanent Representative of Morocco, in a letter addressed to my Under-Secretary-General for Peacekeeping Operations, reiterated the concern of Morocco over the continued presence of Frente Polisario near Guerguerat. Morocco also underscored that the presence endangered the relaunch of the political process. On 5 February, the Moroccan Coordinator with MINURSO wrote to my Special Representative in the same vein, asking him to continue and intensify his engagement with Frente Polisario in order to obtain its immediate and unconditional withdrawal.

11. On 6 November, King Mohammed VI delivered an address to mark the forty-second anniversary of the Green March. He stated that Morocco remains committed to engaging in the political process in the current dynamic that I called for and to cooperating with my Personal Envoy. He indicated that the engagement of Morocco rested on four established principles: (a) rejection of any solution other than the full sovereignty of Morocco over Western Sahara and its autonomy proposal; (b) all parties shouldering their responsibility to find a final solution; (c) respect for the Security Council as the only international body tasked with overseeing the settlement process; and (d) rejection of any "obsolete proposals designed to divert the settlement process from the set terms of reference". Morocco would not sit by and wait for the desired solution to be found, but rather press ahead with its endeavours to promote development in "[its] southern regions", including enabling them to be a link between Morocco and countries further south in Africa. Media reported that Frente Polisario had denounced the speech as a "denial of Morocco's commitments under the peace process".

12. During the reporting period, public life in Laayoune, insofar as MINURSO was able to observe, remained mostly peaceful but marked by a number of demonstrations, which Frente Polisario claims were violently repressed by Moroccan security forces. Meanwhile, Moroccan investment in Western Sahara continued, and numerous projects were either implemented or announced. Frente Polisario has repeatedly protested illegal exploitation by Morocco of the natural resources of Western Sahara and the creation of a new status quo on the ground.

13. Public life in the refugee camps near Tindouf, Algeria, remained peaceful and free of major incidents, although frustrations continued among refugees about the stalemate in the political process. A few sporadic demonstrations took place in the refugee camps, protesting, for example, water shortages in the Smara camp in May and electricity shortages in the Laayoune camp in January. A small protest was held in Rabouni, near Tindouf, in May against the decision by Frente Polisario to withdraw from Guerguerat, demanding that it be reconsidered. Frente Polisario officials confirmed to MINURSO that two small-scale drug-related security incidents took place in the Awsard and Smara camps. The steady decrease in humanitarian aid to the refugees remained of concern. Donor appeals were issued by the World Food Programme (WFP) and by the United Nations Resident Coordinator in Algeria, in May and October respectively. In July, heavy winds caused damage to over 100 household shelters and a number of education facilities in the Dakhla refugee camp, resulting in a small number of injuries.

14. Frente Polisario repeatedly raised concerns with MINURSO about the increased threat posed by illicit drug smuggling in Western Sahara, claiming that it originated from Morocco. In June, Frente Polisario announced the arrest of 19 Moroccan nationals on charges of drug trafficking. On 31 October, the 19 individuals were sentenced to up to 16 years' imprisonment. Frente Polisario informed MINURSO that they were being held in a detention facility in Tifariti.

15. The Moroccan authorities wrote to me on five occasions to, inter alia, express concern about the Frente Polisario being present and constructing sand walls in the

buffer strip near Guerguerat. The Permanent Representative of Morocco also wrote to me to reiterate that the Western Sahara conflict lies within the exclusive competency of the United Nations Security Council. He reiterated the categorical opposition of Morocco to any involvement of the African Union in the political process. In a letter dated 18 April 2017, the Permanent Representative described my previous report on Western Sahara (S/2017/307) as being not balanced and criticized certain omissions and shortcomings, in particular as they pertained to the human rights and humanitarian situation in the refugee camps near Tindouf and relations between MINURSO and Frente Polisario.

16. The Secretary-General of Frente Polisario wrote to me on 16 occasions, deploring what he described as Moroccan violations of human rights, such as the repression of peaceful demonstrations, the illegal detention of the co-defendants in the Gdeim Izik case and the death of one Gdeim Izik prisoner; provocative actions in the territorial waters off south-west Western Sahara; and the illegal exploitation of natural resources, including by declaring an exclusive economic zone in the waters adjacent to Western Sahara. He repeatedly called on the United Nations to institute a human rights monitoring mechanism, implement the 1991 Settlement Plan for Western Sahara, and to "protect the territorial integrity of the Non-Self-Governing Territory of Western Sahara." With respect to my previous report on Western Sahara, the representative of Frente Polisario in New York expressed concern that the characterization of Western Sahara as a non-self-governing territory was cited as a Frente Polisario position, while it is the position of the United Nations General Assembly. He also criticized my repeated calls upon the Frente Polisario to withdraw from Guerguerat.

III. Political activities

17. The appointment of my Personal Envoy was welcomed by the parties and neighbouring States, who pledged to support his efforts. In New York, he held initial consultations with representatives of the parties, neighbouring States, members of the Security Council and the Group of Friends on Western Sahara, with a view to relaunching the political process in a new spirit, with a new dynamic and ultimately to achieving a just, durable and mutually acceptable solution to the conflict in Western Sahara which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

18. From 15 to 24 October, my Personal Envoy undertook his first visit to the region. He travelled to Rabat, Rabouni, Tindouf, Algiers and Nouakchott. The main objective of the visit was to engage with the parties and neighbouring States to understand their position, build trust and assess first-hand the situation on the ground. While all stakeholders reiterated long-held positions, I am encouraged that he was able to hold discussions at the highest level throughout the region.

19. In Rabat, my Personal Envoy was received by King Mohammed VI, the Prime Minister, Saadeddine Othmani, and the Minister of Foreign Affairs and International Cooperation, Nasser Bourita. The King welcomed the appointment of my Personal Envoy and expressed his commitment to the negotiating process. The Prime Minister also expressed his support for the efforts of my Personal Envoy to resolve the conflict. Meanwhile, the Minister of Foreign Affairs and International Cooperation of Morocco reiterated his country's continued commitment to a political solution to the conflict which is based on the Moroccan autonomy initiative of 2007. He stressed that the resolution of the conflict in Western Sahara would require Algeria to take on a more important role.

20. In Rabouni, my Personal Envoy met with the Secretary-General of Frente Polisario, members of the Frente Polisario leadership, and representatives of women and youth. The Secretary-General of Frente Polisario reiterated the movement's unconditional commitment to a peaceful resolution of the conflict, while highlighting the suffering of the Sahrawi people, in particular the youth and those living in refugee camps. He called on Morocco to return to the negotiation table without preconditions. During a visit to the Awsard refugee camp near Tindouf, my Personal Envoy witnessed the profound frustrations and emotions of a refugee population that continues to endure the consequences of a conflict that has lasted for far too long. The harsh conditions in the camps and the exasperation of many, in particular women and youth, at the lack of prospects for a better future were the enduring images that my Personal Envoy took away from the visit. While in Tindouf, my Personal Envoy was also able to meet with the civilian personnel and military observers of MINURSO and expressed his gratitude for their important work, which significantly contributes to creating an operating environment conducive to the negotiating process.

21. In Algiers, my Personal Envoy met with the President of Algeria, Abdelaziz Bouteflika, the Prime Minister, Ahmed Ouyahia, and the Minister of State and Minister of Foreign Affairs and International Cooperation, Abdelkader Messahel. The President emphasized his country's continued support for any peaceful resolution that was acceptable to the Frente Polisario and respected their right to self-determination. He called on my Personal Envoy to contribute to building trust among all the stakeholders. The Prime Minister conveyed a similar message. The Minister of State and Minister of Foreign Affairs and International Cooperation emphasized the role of Algeria as a neighbouring State as well as his country's commitment to the principle of self-determination.

22. In Nouakchott, my Personal Envoy met with the President of Mauritania, Mohamed Ould Abdel Aziz, the Prime Minister, Yahya Ould Hademine, and the Minister of Foreign Affairs, Isselkou Ould Ahmed Izid Bih. All interlocutors reiterated the long-standing position of Mauritania of "positive neutrality", as well as their willingness to fully support the efforts of my Personal Envoy.

23. Throughout the visit, my Personal Envoy underscored to all his interlocutors the need to work together in a spirit of compromise and realism and to relaunch the political process without preconditions. He called on them to show signs of good will that would demonstrate their commitment to finding a mutually acceptable solution. All stakeholders consulted during his first trip to the region were unanimous in deploring the lack of regional cooperation caused by the conflict over Western Sahara and the resulting loss of jobs, growth and opportunities for all the peoples in the Maghreb region.

24. On 22 November, my Personal Envoy briefed the Security Council in New York on his first visit to the region. He expressed cautious optimism, observing that he had witnessed a "certain yearning" for a solution among all interlocutors. He invited the Council to work with him in defining concrete next steps for the path forward and called on Council members to reflect in their own positions the new spirit that they called for. The Council expressed public support for my Personal Envoy, noting that his appointment and his visit to the region represented important contributions to creating the new dynamic necessary to advance the political process.

25. Since his briefing to the Council, my Personal Envoy has continued his dialogue with the leadership of the parties and neighbouring States. He also continued his consultations with the members of the Group of Friends on Western Sahara, namely, France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States, as well as other interested stakeholders.

26. From 9 to 18 January, my Personal Envoy travelled to Addis Ababa, Brussels, Kigali, London and Paris to meet with government representatives and interlocutors of the African Union and the European Union, including the Chairperson of the African Union Commission, Moussa Faki Mahamat, and the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, Federica Mogherini. In these discussions, the interlocutors pledged support to my Personal Envoy's efforts and acknowledged the lead of the United Nations in the process. My Personal Envoy highlighted the political, socioeconomic and security implications of the Western Sahara conflict on regional integration. On 6 February, my Personal Envoy travelled to Geneva to meet with the United Nations High Commissioner for Refugees to discuss humanitarian assistance for Sahrawi refugees in the camps near Tindouf.

27. On 14 December, in substantively identical letters, my Personal Envoy extended invitations to the parties to the conflict and the neighbouring States to hold bilateral in-depth consultations. They all responded positively to the invitation.

28. Thus, on 25 and 26 January, my Personal Envoy met the Secretary-General of Frente Polisario in Berlin. Consultations addressed in depth the political, socioeconomic and humanitarian dimensions of the conflict and the situation on both sides of the berm. The meetings were also an opportunity to assess the political process to date and to discuss new ideas for the way forward. On 6 March, my Personal Envoy held consultations with the Minister of Foreign Affairs and International Cooperation of Morocco in Lisbon, which included a discussion of my Personal Envoy's activities of recent months, an exchange of views on potential ways to structure future talks and on recent political developments. The Minister reiterated the willingness of Morocco to work with my Envoy and publicly called the consultations "rich and fruitful".

29. On 8 February, my Personal Envoy met with the Minister for Foreign Affairs and Cooperation of Mauritania in Berlin. The Minister emphasized the importance of preserving the good relations of Mauritania with all its neighbours, as well as his country's willingness to support the United Nations-led facilitation process. On 15 February, my Personal Envoy met with the Minister of State and Minister of Foreign Affairs and International Cooperation of Algeria in Berlin. The Minister stressed the willingness of Algeria to support the political process in its capacity as neighbouring country, while also stressing the importance of respecting the Sahrawi people's right to self-determination.

30. I am encouraged by the positive responses by the representatives of the parties and neighbouring States, for holding consultations in an open and frank atmosphere that allowed my Personal Envoy to further explore their positions, as well as potential ways to structure future talks.

31. On 21 March, my Personal Envoy briefed the Security Council, pursuant to paragraph 11 of resolution 2351 (2017). The Council expressed full support for the efforts of my Personal Envoy.

IV. Activities of MINURSO

A. Operational activities

32. As at 1 March 2018, the military component of MINURSO consisted of 225 personnel, 14 of whom were female, against the authorized strength of 246. MINURSO continued to encourage troop-contributing countries to seek greater gender balance. From 1 April 2017 to 1 March 2018, MINURSO conducted

approximately 799,085 kilometres of ground patrols and 679 air patrols. Cooperation between MINURSO team site commanders and the parties was generally satisfactory. The reporting period included monthly visits to approximately 920 units, headquarters and strongpoints and 28 training areas. Military observers also visited 365 observation posts east and west of the berm and monitored over 292 notified operational activities by both parties. MINURSO continued to maintain the temporary observation post in Guerguerat established in August 2016, comprising 10 military observers, 1 doctor and one paramedic, assigned to monitor activities during daylight hours.

33. As of 1 July, owing to a direct threat of kidnapping against international personnel received in late June, patrolling east of the berm was restricted to a 100-kilometre radius from team sites. Normal patrolling activities continued west of the berm. Night operations on both sides of the berm remained suspended. MINURSO also immediately implemented additional precautionary measures and accelerated the reinforcement of the physical and operational security infrastructure at all nine team sites. In its 2018–2019 budget submitted to the General Assembly (A/72/731), the Mission proposed the acquisition of protective bunkers for all team sites east of the berm.

34. In late December, Frente Polisario elements reappeared inside the buffer strip near Guerguerat (see para. 4). Initially, Frente Polisario indicated that the presence was associated with the Africa Eco Race, an off-road automobile rally, which was to pass through the area on 8 January. Frente Polisario stated that it would block the race, and on 4 January stopped and briefly delayed some civilian traffic, with a few vehicles turning back. They subsequently clarified that they would not interfere with the race, but only observe it as its passed through, which they did. MINURSO encouraged Frente Polisario to withdraw from the area.

35. Morocco strongly objected to the Frente Polisario presence. On 4 January, MINURSO received advance notification by Morocco of the redeployment of 260 troops from Awsard to Bir Gandouz, about two hours from Guerguerat, to secure the race if necessary. On 9 January, MINURSO was informed of the troops' return to their initial location. MINURSO maintained dialogue with both parties and increased air patrols and the hours of operation of the temporary observation post in the area.

36. As at 1 March, Frente Polisario elements were still present in the Guerguerat area. MINURSO military observers continued to observe the situation during daylight hours.

37. During the reporting period, MINURSO recorded five violations of military agreement No. 1 by the Royal Moroccan Army in addition to 10 long-standing violations (see S/2017/307, para. 36). Two of them were general and three consisted of tactical reinforcements. The Royal Moroccan Army did not commit any freedom of movement violations during the reporting period.

38. Meanwhile, MINURSO recorded seven violations of military agreement No. 1 by Frente Polisario, as well as five general and two freedom of movement violations. These violations were in addition to the three long-standing violations referred to in the previous report (see S/2017/307, para. 37).

39. In October and January, the Royal Moroccan Army complained to MINURSO about two alleged night-time shooting incidents in subsectors Tichla and Bir Gandouz, along the southern part of the berm, which it attributed to the Frente Polisario military. On each occasion, the Royal Moroccan Army alleged that one of its soldiers stationed at the berm was injured by gunfire emanating from the buffer strip, while investigating suspicious noises. Frente Polisario claimed no knowledge of either incident and informed MINURSO that it had no military forces present in

those areas when the incidents allegedly happened. As, owing to existing security restrictions, the Mission does not conduct night patrols, it was unable to independently verify the incident. The Permanent Representative of Morocco wrote to the Under-Secretary-General for Peacekeeping Operations to raise the issue, warning that Morocco would not tolerate such provocations in the future. MINURSO also observed six demonstrations by Sahrawi civilians inside the buffer strip close to the berm.[1] While such demonstrations were typically peaceful, on one occasion stones were thrown by the demonstrators towards the Royal Moroccan Army, stationed at the berm. The Royal Moroccan Army complained to MINURSO about the demonstrations, considering them provocations and in violation of the ceasefire agreements.

B. Mine action

40. Landmines and other explosive remnants of war continue to endanger the lives of MINURSO military observers, civilian personnel and logistical convoys. As at 1 March, 54 known cluster strike areas and 22 known minefields remained to be addressed east of the berm. Since its relocation on 1 September 2016, the MINURSO Mine Action Coordination Centre has operated from Tindouf, Algeria.

41. The Royal Moroccan Army reported that, from 1 April 2017 to 1 March 2018, four accidents related to landmines or explosive remnants of war occurred east of the berm, resulting in 4 local civilians being injured. West of the berm, 3 people were killed and 15 injured as a result of accidents caused by landmines or explosive remnants of war.

42. The Mine Action Coordination Centre, operated by the United Nations Mine Action Service, conducted survey and clearance of 3,123,830 m^2 of land contaminated by landmines and explosive remnants of war — releasing 24 medium and high-priority cluster strike areas and 11 minefields; 2,350,200 m^2 of route verifications east of the berm, an equivalent of 391.7 km, to facilitate MINURSO ground patrols; the destruction of a total of 102 items east of the berm; landmine safety training for 217 newly arrived personnel of MINURSO; and four landmine safety refresher training sessions for 34 participants. The Mine Action Coordination Centre conducted 37 quality assurance assessments of its operations.

43. The Royal Moroccan Army reported the clearance of more than 144,770,000 m^2 of land to the west of the berm and the destruction of 1,121 items, including 1,008 items of unexploded ordnance, as well as 57 anti-tank and 56 anti-personnel mines.

44. The Mine Action Coordination Centre conducted communication and coordination activities with Frente Polisario on mine action, to better ascertain the impact of landmines and other explosive remnants of war in Western Sahara.

C. Security

45. During the reporting period, MINURSO General Threat Assessment resulted in a moderate security level throughout the Mission's area of operation. East of the berm, the threat of terrorism, on the basis of direct threats received during the reporting period and earlier, was assessed as high. Owing to the level of threats in the region, the security of MINURSO was strengthened.

46. As part of the MINURSO security risk management measures approved in February 2017, the Mission's Security Section developed a priority list for their

[1] See also S/2017/307, para. 35; S/2016/355, para. 32; and S/2015/246, para. 24.

implementation. MINURSO is currently implementing these measures, focusing on security east of the berm and intends to complete the priority list in the 2018/19 budget year.

D. Substantive civilian activities

47. In the second half of April 2017, all the remaining MINURSO staff who had been expelled from Laayoune in March 2016 returned to their duty station (see S/2017/307, para. 14), allowing MINURSO to return to full functionality, as stipulated in Security Council resolution 2285 (2016). Currently, 21 per cent of international civilian staff and United Nations Volunteers and 18 per cent of local staff are women. Despite challenges due to the nature and environment of the mission, MINURSO is working to improve its gender balance.

48. Within the constraints imposed, MINURSO continued to provide regular reporting and analysis to the Secretariat on developments in and affecting Western Sahara. The Mission also continued to receive regular visits by representatives of Member States.

49. After assuming his functions in late December, my Special Representative was received by the Minister of Foreign Affairs and International Cooperation of Morocco and the Minister of the Interior of Morocco, Abdelouafi Laftit, who renewed their assurances of full cooperation with MINURSO on matters related to the Mission's mandate. They reiterated the official position of Morocco on the conflict in Western Sahara and raised concerns about the resumed Frente Polisario presence in Guerguerat. In March 2018, my Special Representative travelled to Tindouf, where he visited the refugee camps, accompanied by Frente Polisario members. My Special Representative and MINURSO endeavoured to maintain sustained, consultative and transparent contacts with the parties, primarily through their respective coordination offices.

50. East of the berm and in the refugee camps near Tindouf, Algeria, the Mission enjoyed unhindered access to interlocutors, including representatives of Frente Polisario, refugees and local and international civil society organizations.

51. The lack of progress in the political process, however, continued to affect perceptions of MINURSO and the United Nations by the parties and the general public from both sides.

E. Challenges to the operations of the Mission

52. The parties' diverging interpretations of the Mission's mandate remained the most significant challenge to the operation of the Mission. Morocco maintained that the Mission's mandate is essentially limited to ceasefire monitoring, supporting demining and assisting UNHCR with confidence-building measures if these were to resume after their interruption in 2014. Morocco did not agree with any MINURSO activities beyond this interpretation, such as human rights monitoring or interaction with the local population for the purposes of political reporting. Thus, the only interlocutors that Morocco permitted west of the berm were members of the Moroccan coordination office with MINURSO and the Royal Moroccan Army. Access to other interlocutors (see S/2017/307, para. 51) has yet to be restored. Morocco argues that standard peacekeeping functions do not apply to MINURSO, as the Mission's mandate and activities need to take into account the specificities of the situation in Western Sahara.

53. Frente Polisario continued to see organizing a referendum on self-determination as the central element of the MINURSO mandate, with ceasefire monitoring and other activities subordinate or instrumental to that aim. It also consistently called on the United Nations to establish a human rights monitoring mechanism in Western Sahara.

54. The United Nations maintained that the Mission's mandate was set out in successive Security Council resolutions and includes independent reporting to the Council on developments in and related to Western Sahara, for which it requires unhindered access to interlocutors. Furthermore, effective situational awareness is key to the Mission's ability to fulfil its mandate and ensure the security of its personnel and premises, regardless of mandate interpretation.

55. Regarding ceasefire monitoring and compliance, the lack of a joint commission, as exists in other contexts, consisting of representatives of the parties and MINURSO, also posed challenges to the prompt and timely handling of allegations of violations, as MINURSO needed to liaise with the parties separately for each allegation.

56. Security considerations continued to have a major impact on ceasefire monitoring and resupply of logistics. Ground patrols east of the berm are limited in range during the day and do not operate at night. Logistics convoys are vulnerable and depend upon prior aerial reconnaissance of routes. Aerial patrols will become more available thanks to a third helicopter, but will remain limited to daylight hours.

57. West of the berm, the Mission's vehicles continued to bear Moroccan number plates, affecting the perception of the Mission's impartiality and contrary to the agreement in principle reached with the Government of Morocco in 2015. Frente Polisario also continued to protest the Moroccan practice of affixing stamps on the passports of MINURSO staff members upon entry to and exit from Western Sahara (see S/2017/307, para. 58).

58. In Guerguerat, MINURSO observers remained limited in their ability to observe the area outside of the well-travelled portion of the road due to safety concerns (see S/2017/307, para. 57), in particular, landmines and explosive remnants of war. Therefore, observations on the ground continued to require the support of helicopter reconnaissance.

V. Humanitarian activities and human rights

A. Persons unaccounted for in the conflict

59. The International Committee of the Red Cross continued, as a neutral intermediary, to seek opportunities to enhance dialogue and facilitate the exchange of information between the parties, in respect of individuals who are still unaccounted for in relation to past hostilities.

B. Assistance to the protection of Western Saharan refugees

60. The United Nations Office of the High Commissioner for Refugees (UNHCR) and its partners continued to provide international protection and assistance to Sahrawi refugees living in the five camps near Tindouf, Algeria. However, the consequences of underfunding on life-saving humanitarian assistance and the regular refugee programme were clearly visible. For example, UNHCR could provide an average of only 18 litres of drinking water per person per day, which is below the minimum standard of 20 litres.

61. For humanitarian planning purposes, UNHCR deployed a technical mission in January 2018 to review the Sahrawi in-camp population figure on the basis of sectoral data. The humanitarian assistance provided by UNHCR and WFP continued to be based on previous planning figures. WFP provided additional food rations to persons with poor nutritional status. The number of vulnerable individuals as a subset of the estimated population will be further examined on the basis of a multi-agency vulnerability assessment.

62. The major public health issues affecting Saharawi refugees are non-communicable diseases and chronic malnutrition. WFP provided nutritionally balanced school meals for 40,500 children in the refugee camps, to encourage attendance and retention. The United Nations Children's Fund (UNICEF) continued to provide maternal and child health programmes, including the immunization of 22,000 children. To prevent sexual and gender-based violence, UNHCR opened a safe house for women in 2017.

63. To contribute to resilience and improve food security, UNICEF and WFP introduced pilot projects for complementary activities. The main challenge for humanitarian actors remained the funding shortfall. The humanitarian community launched an appeal for USD 137.6 million during 2016-2017, of which only 47 per cent was funded.

C. Confidence-building measures

64. The confidence-building measures, pursuant to Security Council resolution 1282 (1999) and subsequent resolutions, to allow family links between Saharawi refugees in the Tindouf camps and their communities of origin in the Western Sahara Territory remain on hold.

D. Human rights[1]

65. From 22 to 28 October, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment visited Morocco to advise the Government on establishing a national detention monitoring body to inspect places of detention, as envisaged in the Optional Protocol to the Convention against Torture. As at 27 February, the Government had not established or designated such a mechanism. Discussions are ongoing. During its visit, the Subcommittee on Prevention of Torture assessed the treatment of persons deprived of liberty and the measures taken for their protection against torture and ill-treatment. It handed over a confidential report to the Government.

66. Torture and ill-treatment in places of deprivation of liberty, including owing to overcrowding and limited or no access to medical care, continued to be reported. According to various sources, the lack of accountability for human rights violations perpetrated against Sahrawis was a major concern during the reporting period, with international and national organizations reporting a persisting lack of investigations into allegations of such acts.

67. On 19 July, a Moroccan court of appeal sentenced 23 Sahrawi activists to prison terms of between two years and life on charges relating to the killing of 11 Moroccan

[1] Gaps in human rights reporting remain, owing to the limited monitoring capacity of OHCHR. To date, OHCHR has been able to conduct four assessment missions in Western Sahara, in 2006, 2014 and 2015. In resolution 2351 (2017), the Security Council commended OHCHR missions and encouraged all parties to continue cooperating with the Office, including through facilitating further visits to the region.

security officers in 2010. As at 5 February, the Gdeim Izik's case (see S/2017/307, para. 74), was being reviewed by the Court of Cassation. The Office of the United Nations High Commissioner for Human Rights (OHCHR) received several communications from lawyers and or family members reporting serious breaches to the principles of fair trial. The Secretary-General of Frente Polisario wrote to me again on 21 July, denouncing the sentences. He also called on the United Nations to request the immediate release of the 23 detainees.

68. Several Saharawi human rights groups continued to experience difficulties in carrying out their activities, as the Government of Morocco rejected their applications for registration and, therefore, legal recognition.

69. Alleged harassment by the Moroccan authorities of Saharan human rights defenders also remains of serious concern. Restrictions were reportedly imposed on human rights defenders wanting to enter and leave the Territory. In 2017, according to local and international sources, the Moroccan authorities continued to restrict access to Western Sahara for foreign visitors, including journalists, human rights defenders and lawyers from Morocco.

70. Although it remained difficult to obtain independent confirmation, various sources reported that the Moroccan authorities continued to routinely prevent or disperse gatherings in Western Sahara west of the berm. In several instances, protesters and activists were allegedly subjected to arbitrary arrests, unfair trials and imprisonment on ostensibly trumped-up charges. OHCHR received several communications from local non-governmental organizations stating that the Moroccan security forces had forcibly dispersed protests.

71. Available information indicates that Sahrawis continued allegedly to face discrimination in the enjoyment of economic, social and cultural rights. During the third universal periodic review of Morocco, in May, the Moroccan delegation affirmed that all Moroccan citizens were equal before the law in terms of rights and responsibilities. It ascertained that the people of the Sahara were an integral component of the defence of the territorial integrity and national unity and were associated in all development processes at the national, regional and local levels, either through elected representative bodies, professional bodies or civil society organizations that worked freely within the legal and constitutional framework of the country (see A/HRC/36/6, para. 31). Moroccan and international investments in the territorial waters adjacent to Western Sahara remained a subject of contention between the Government of Morocco and Frente Polisario.

72. The situation of the Sahrawi refugees raises multiple human rights concerns, many linked to the non-realization of the right to self-determination, such as the dire humanitarian situation they face, coupled with the lack of access to natural wealth and resources in Western Sahara west of the berm.

73. The few local human rights groups that exist in the refugee camps reportedly continued to operate freely, without any reported impediments. During the reporting period, Frente Polisario expressed readiness to cooperate with United Nations human rights mechanisms.

VI. African Union

74. During the reporting period, Morocco did not allow the African Union Observer Mission to return to Laayoune and resume its collaboration with MINURSO. During its thirtieth ordinary session, held from 28 to 29 January, in Addis Ababa, the Assembly of the African Union supported the United Nations-led relaunching of the negotiation process and reiterated its call upon the parties to engage in direct and

serious talks without preconditions and to fully cooperate with the Personal Envoy of the Secretary-General of the United Nations. The Assembly further urged Morocco to allow the African Union Observer Mission to return to Laayoune.

VII. Financial aspects

75. The General Assembly, in its resolution 71/309, appropriated $52.0 million for the maintenance of the Mission for the period from 1 July 2017 to 30 June 2018. My proposed budget in the amount of $53.9 million (exclusive of budgeted voluntary contributions in kind) for the maintenance of the Mission for the period from 1 July 2018 to 30 June 2019 was submitted to the Assembly for its consideration during the second part of its resumed seventy-second session. Should the Security Council decide to extend the mandate of MINURSO beyond 30 April 2018, the cost of maintaining the Mission would be limited to the amounts approved by the Assembly.

76. As at 13 March 2018, unpaid assessed contributions to the Special Account for MINURSO amounted to $ 41.7 million. Troop costs were reimbursed for the period up to 31 October 2017, while the costs of contingent-owned major equipment and self-sustainment were reimbursed for the period up to 30 September 2017, in accordance with the quarterly payment schedule.

VIII. Observations and recommendations

77. In my previous report (S/2017/307), I proposed that the negotiating process be relaunched with a new dynamic and a new spirit that reflects the Security Council's guidance, with the aim of reaching a just, durable and mutually acceptable solution to the conflict in Western Sahara that will provide for the self-determination of the people of Western Sahara. The Security Council, in its resolution 2351 (2017), affirmed its full support for this proposal. I am encouraged by the steps taken by my Personal Envoy to relaunch the political process since his appointment. I welcome his first visit to the region, where he was received at the highest level, as well as subsequent in-depth bilateral consultations with the parties, neighbouring States and other stakeholders. The numerous private and public expressions of support for the efforts of my Personal Envoy are also an important signal that a new dynamic is already in play.

78. To maintain this positive momentum, additional steps need to be taken by the parties, neighbouring countries and other relevant interlocutors to reflect in their own positions the new spirit and dynamic the Council has called for. In its resolutions since the beginning of 2007, the Security Council has directed me to facilitate direct negotiations between the parties without preconditions, in good faith, taking into account the efforts made since 2006 and subsequent developments, working with realism and a spirit of compromise. The Council has also called on the parties to show political will, work in an atmosphere favouring dialogue and discuss each other's proposals to prepare for a fifth round of formal negotiations. I call upon the parties to continue to work with my Personal Envoy in this new spirit and dynamic and to genuinely commit to the negotiating process in accordance with the guidance provided by Security Council resolutions.

79. The negotiating process does not occur in a vacuum. In the era of global interdependence, the socioeconomic, humanitarian and security implications of this protracted conflict weigh heavily on regional and subregional integration. I would

See Assembly/AU/6(XXX), para. 17. Available from https://au.int/sites/default/files/decisions/33908-assembly_decisions_665_-_689_e.pdf.

like to reiterate the Security Council's call upon neighbouring States, Algeria and Mauritania, to make important contributions to the political process and to increase their engagement in the negotiating process.

80. I am concerned about the possible resumption of tensions following the renewed presence of Frente Polisario in Guerguerat and the challenges that such actions by either party may present to the ceasefire. I recognize the measured response of Morocco in keeping its troops well away from the buffer strip during the tensions. I call upon Frente Polisario to withdraw from the buffer strip as it did in April 2017. I call upon both parties to exercise maximum restraint and to avoid escalating tensions, and to refrain from taking any action which may constitute a change in the status quo at the buffer strip. With respect to the efforts of the United Nations to address the questions raised by the situation in Guerguerat, I welcome the positive response of Frente Polisario to my proposal to deploy an expert mission as part of this process and strongly encourage Morocco to reconsider this initiative so that both parties can engage in a bona fide discussion on the matter.

81. Further, I remain deeply concerned about security in Western Sahara, in particular in the vast and empty desert expanse east of the berm, where unarmed military observers of MINURSO remain vulnerable to threats by criminal and terrorist groups. The Mission's ground movements east of the berm remain particularly vulnerable, considerably straining the limited aviation resources within the Mission to verify their routes. MINURSO has also allocated considerable effort and resources to upgrading its static security measures at all its locations, in particular east of the berm. I proposed additional funding for the period from 1 July 2018 to 30 June 2019 to complete this essential work and to allow the Mission to move forward with acquiring its third helicopter. I am grateful for the Council's continued support for the Mission's efforts to strengthen the security of its facilities and staff operating under strenuous conditions.

82. MINURSO has conducted a range of reviews and assessments to strengthen security, improve performance and reorganize staffing in order to achieve its goals more efficiently and consider new technologies to reduce risk, improve force protection and better implement the mandate assigned by the Security Council. A number of these recommended measures will require adequate resources, for which the support of the Security Council will be critical. Further to these initiatives I intend to conduct, in mid-2018, a strategic review of MINURSO to provide an in-depth analysis of the Mission and recommend measures to improve its mandate delivery.

83. The parties, while occasionally violating the letter of the ceasefire and military agreements, on the whole respected the spirit of the agreements, while also engaging promptly with MINURSO and the Secretariat when potential violations arose. Longstanding violations have nonetheless had a significant impact on the balance of military power and on the United Nations, which risks seeing its capabilities, integrity and perceived independence gradually eroded.

84. The Mission's effectiveness depends also on its ability to exercise the full range of standard peacekeeping functions, to inform an impartial and independent assessment of developments on the ground, as these may have a bearing on the political process and the broader peace and stability in Western Sahara. I continue to call for the support of the Security Council in this regard.

85. The contribution of MINURSO to maintaining the ceasefire remains as relevant as ever, a central and necessary role in preventing conflict, thus creating the conditions for the resumption of negotiations in the context of my efforts and those of my Personal Envoy. Despite constraints, the Mission's role in keeping the Secretariat and the Security Council informed of developments in and related to Western Sahara makes a significant contribution to progress in the negotiating

process, while also supporting regional stability. I therefore recommend that the Council extend the mandate of MINURSO for a further 12 months, until 30 April 2019.

86. I remain concerned about the increasing level of exasperation among the refugee communities in Tindouf, after more than 42 years in the camps, with limited hope. While confidence-building measures, which remain currently suspended, have an essential humanitarian component, they cannot be seen as a solution to the political impasse. I therefore call upon all actors to support the political process and work towards an acceptable solution for the refugees which allows for a life in dignity.

87. I also note with great concern the chronic lack of funding for humanitarian assistance despite increasing needs. For 2018, humanitarian needs for UNHCR, UNICEF and WFP are $58.5 million. I therefore call upon the international community to continue its support for this vital humanitarian programme.

88. I urge the parties to respect and promote human rights, including in addressing outstanding human rights issues and enhancing cooperation with the OHCHR and the United Nations human rights mechanisms, and facilitate their follow-up missions. Independent, impartial, comprehensive and sustained monitoring of the human rights situation is necessary to ensure the protection of all people in Western Sahara.

89. The conflict over Western Sahara has lasted for too long and must be brought to an end for the sake and the dignity of the population of Western Sahara, including those who have been displaced for more than four decades, as well as for the stability of the wider region, which is facing myriad political, economic and security challenges. In this regard, the work of my Personal Envoy, MINURSO and of the United Nations agencies remains indispensable.

90. I am grateful to the neighbouring States, the Members of the Group of Friends on Western Sahara and other relevant interlocutors for lending their support to the political process. I would like to express my particular appreciation to the Government of Spain for continuing to facilitate the visits of my Personal Envoy to the region by providing an aircraft. I wish to extend my sincere thanks to my Personal Envoy for Western Sahara, Horst Koehler, for his engagement with the parties and neighbouring States. Similarly, I am grateful to my Special Representative for Western Sahara and Head of MINURSO, Colin Stewart, his predecessor, Kim Bolduc, and Major General Wang Xiaojun, for their dedicated leadership of MINURSO. Finally, I would also like to thank the men and women of MINURSO for their dedicated and committed work, in difficult circumstances.

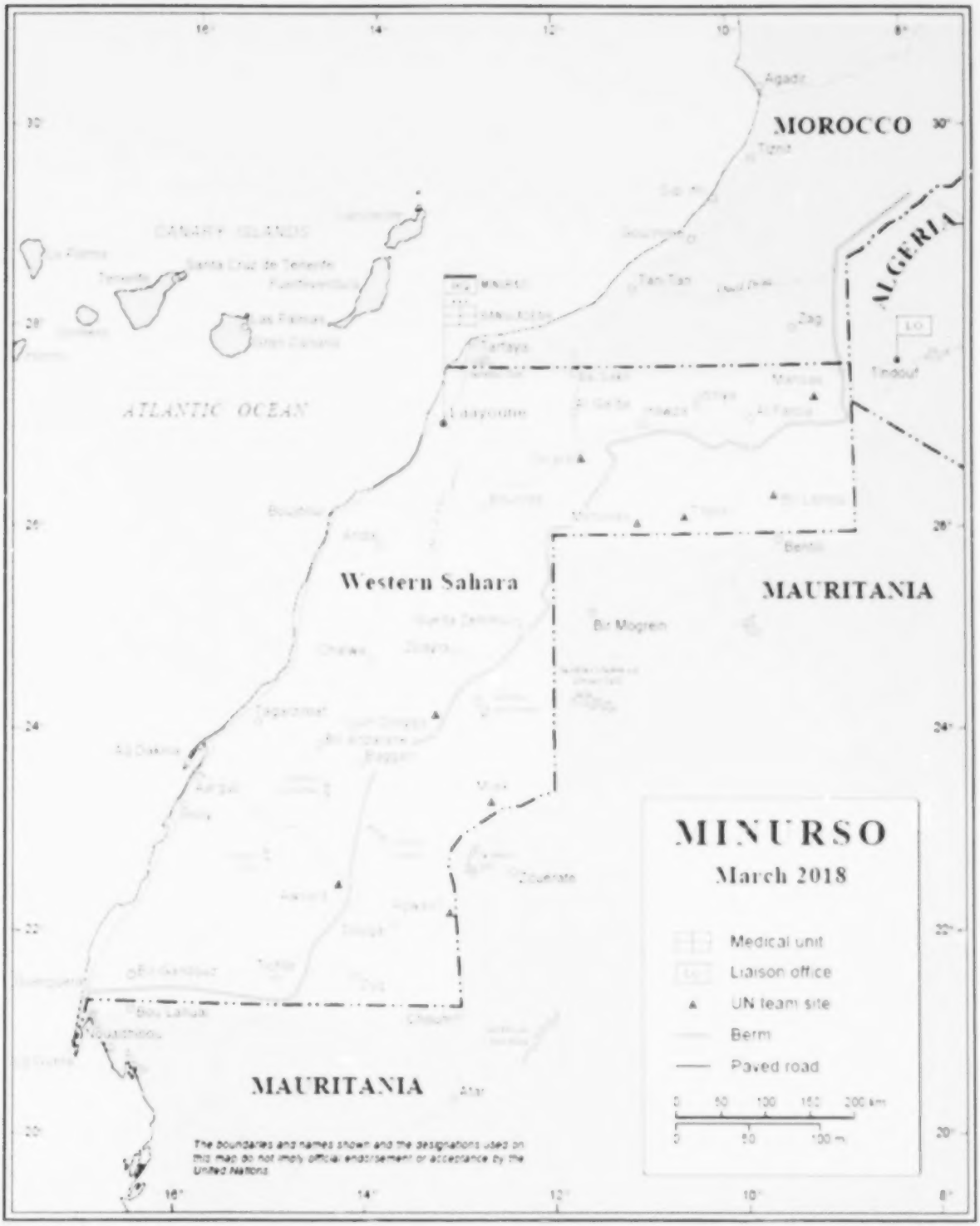
Annex

United Nations Mission for the Referendum in Western Sahara

Contributions as at 1 March 2018

Country	*Military observers*[a]	*Troops*[b]	*Civilian police*[c]	*Total*
Argentina	3	–	–	3
Austria	5	–	–	5
Bangladesh	6	20	–	26
Brazil	10	–	–	10
Bhutan	2	–	–	2
China	12	–	–	12
Croatia	7	–	–	7
Djibouti	2	–	–	2
Egypt	19	–	–	19
Ecuador	4	–	–	4
El Salvador	2	–	–	2
Finland	–	–	1	1
France	2	–	–	2
Germany	3	–	–	3
Ghana	6	7	–	13
Guinea	5	–	–	5
Honduras	12	–	–	12
Hungary	7	–	–	7
India	3	–	–	3
Indonesia	5	–	–	5
Ireland	3	–	–	3
Kazakhstan	3	–	–	3
Malawi	3	–	–	3
Mexico	4	–	–	4
Mongolia	4	–	–	4
Montenegro	2	–	–	2
Nepal	5	–	–	5
Nigeria	6	–	–	6
Pakistan	14	–	–	14
Poland	1	–	–	1
Portugal	–	–	1	1
Republic of Korea	4	–	–	4
Russian Federation	16	–	–	16
Sri Lanka	4	–	–	4
Sweden	4	–	–	4
Switzerland	2	–	–	2
Togo	2	–	–	2
Yemen	6	–	–	6
Total	**198**	**27**	**2**	**227**

[a] Authorized strength is 246, including the Force Commander.
[b] Authorized strength is 12.
[c] Actual strength on the ground, for military and civilian police, including the Force Commander.



Map No. 3831 Rev. 54 UNITED NATIONS
March 2018 (Colour)

Department of Field Support
Geospatial Information Section (formerly Cartographic Section)